

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-13269 - APPLICANT/OWNER: RUTH I. POLIAK

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. The limits of this vacation shall be the western 11 feet of Shiloah Drive south from Johnson Avenue approximately 100 feet, retaining all rights-of-way necessary for a 15-foot radius corner at the southwest corner of Shiloah Drive and Johnson Avenue. If additional right-of-way is necessary to complete the 15-foot radius corner, it shall be dedicated prior to recordation of the Order of Vacation; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City Departments.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a Petition to vacate a portion of Shiloah Drive between Johnson Avenue and Charleston Boulevard.

EXECUTIVE SUMMARY

The requested Vacation will not have a negative effect on the area. This will allow the property owner to clear up their ownership issues and to incorporate this currently unkempt area into their yard. The Planning Department and Department of Public Works both recommend approval of this request.

BACKGROUND INFORMATION

A) Related Actions

06/22/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/ng).

B) Pre-Application Meeting

A pre-application meeting is not required for a Vacation Petition.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Vacation Petition, nor was one held.

DETAILS OF APPLICATION REQUEST

The property to be Vacated is legally described as the West Eleven Feet (11') of Shiloah Drive, commencing at the South Right-of-Way line of Johnson Avenue, extending Southerly approximately one hundred feet (100'); said property being a portion of the Southeast Quarter (SE¹/₄) of the Southwest Quarter (SW¹/₄) of the Southwest Quarter (SW¹/₄) of Section 31, Township 20 South, Range 62 East, M.D.M.

ANALYSIS

A) Planning discussion

This Vacation Petition will not have a negative effect on the surrounding neighborhood. It has been requested by the property owner to clean up the property ownership. Currently the area is part of the yard and as it is within the public right-of-way remains unkempt. This will allow the property owner to incorporate the area into their landscaping. As this

Vacation will not have a negative effect on the area and is supported by the Department of Public Works, approval of this request is recommended.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
Non-Uniform, however the constructed roadway is uniform.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes.*
- D. Does this vacation request coincide with development plans of the adjacent parcels?
No, the property is an existing residence.
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements?
No.
- G. Does the Department of Public Works have an objection to this vacation request?
No.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 3 by City Clerk

APPROVALS 0

PROTESTS 0